

IN RE: PETITION FOR ADMIN. VARIANCE  
E/S Anita Road, 186.71' S of the  
c/I Maxine Road  
(8209 Anita Road)  
3<sup>rd</sup> Election District  
2<sup>nd</sup> Councilmanic District

Gilbert S. Berman, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 99-70-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Gilbert S. and Ina B. Berman. The Petitioners seek relief from Sections 1B02.3.B and 301 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 202.3, 1955 Regs.) to permit a side yard setback of 0 feet in lieu of the required 15 feet, and a sum of the side yard setbacks of 18 feet in lieu of the required 45 feet, for a proposed carport. The Petitioners filed the request through the administrative variance process; however, at the request of the adjoining property owners, Edward and Kitty Ritz, the matter was scheduled for a public hearing. Subsequent to scheduling the matter for a hearing, however, discussions were held between the parties and the concerns raised by the Protestants were resolved, pursuant to the letter setting forth their agreement, dated November 18, 1998 from Lee N. Sachs, Esquire, attorney for the Protestants. Thus, the request for hearing was withdrawn.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

ORDER RECEIVED FOR FILING  
Date 12/17/98  
By [Signature]

A site plan of the property which was accepted and marked into evidence as Petitioner's Exhibit 1, reflects that the subject property consists of a gross area of 0.809 acres, more or less, zoned D.R.1, and is presently improved with a single family dwelling. As noted above, the Petitioners seek certain variance relief to permit construction of a carport on the north side of their home.

Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

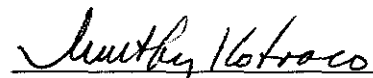
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17<sup>th</sup> day of December, 1998 that the Petition for Administrative Variance seeking relief from Sections 1B02.3.B and 301 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 202.3, 1955) to permit a side yard setback of 0 feet in lieu of the required 15 feet, and a sum of the side yard setbacks of 18 feet in lieu of the required 45 feet, for a proposed carport, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware

that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

- 2) Compliance with the terms and conditions of the agreement reached between the Petitioners and the adjoining property owners, Kittie and Edward Ritz, as set forth in the letter dated November 18, 1998, from Lee N. Sachs, Esquire, a copy of which is attached hereto and made a part hereof.
- 3) The Petitioners shall be required to install gutters and downspouts on the carport addition to insure that all storm water runoff from the carport is directed away from any adjacent property.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date 12/17/98

By [Signature]



Baltimore County  
Zoning Commissioner  
Office of Planning

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386

December 18, 1998

Mr. & Mrs. Gilbert S. Berman  
8209 Anita Road  
Pikesville, Maryland 21208

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
E/S Anita road, 186.71' S of the c/l Maxine Road  
(8209 Anita Road)  
3rd Election District - 2nd Councilmanic District  
Gilbert S. Berman, et ux - Petitioners  
Case No. 99-70-A

Dear Mr. & Mrs. Berman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Lee N. Sachs, Esquire  
The Jefferson Building, Suite 400, 105 W. Chesapeake Avenue, Towson, Md. 21204

Mr. Herb Kishter  
8767 Satyr Hill Road, Baltimore, Md. 21234

People's Counsel; Case File





# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 8209 Anita Rd.

which is presently zoned DR-1

This Petition shall be filed with the Dept. of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B023.B (202.3, 1955) 301

To allow a side yard setback of 0 ft for an open projection (carport) and a sum of side yard setbacks of 18 ft. in lieu of the minimum required 15 ft. & 45 ft. respectively.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

want carport over existing driveway, other side of house is too sloped.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

I/We do solemnly declare and affirm under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

INA B. BERMAN  
(Type or Print Name)

Ina B. Berman ✓  
Signature

Gilbert S. Berman  
(Type or Print Name)

Gilbert S. Berman ✓  
Signature

8209 Anita Rd 410-486-3219  
Address Phone No

P. Kishita md 21208  
City State Zipcode

Name, Address and phone number of representative to be contacted

Herb Kishita  
Name

8767 SATARA DR 410-882-9500  
Address Phone No

Public Hearing having been requested and/or found to be required it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_ day of \_\_\_ 19\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County in two newspapers of general circulation throughout Baltimore County and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: [Signature]

DATE: 8-11-98

ESTIMATED POSTING DATE: 8/23



Printed with Soybean Ink  
on Recycled Paper

ITEM #: 70

**99-70-A**

ORDER RECEIVED FOR FILING  
12/12/98

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 8209 ANITA RD.  
address  
P. KASVILLE MD. 21208  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

(see front side)

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Eva Berman  
(signature)  
EVA BERMAN  
(type or print name)



Gilbert Berman  
(signature)  
GILBERT BERMAN  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11<sup>th</sup> day of August, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

EVA BERMAN & GILBERT BERMAN

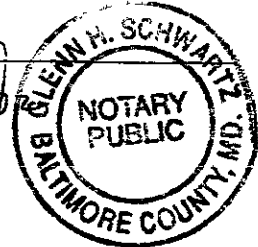
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

August 11, 1998  
date

Glenn H. Schwartz  
NOTARY PUBLIC

My Commission Expires: 8-1-00



ORDER NO. 12/17/98  
Date 8/17/98  
BY [Signature]

70

ZONING DESCRIPTION FOR 8209 Anita Road

Beginning at a point on the East side of

Anita Road which is 150.04 feet wide at the  
distance of 186.71 feet south of the centerline

of the nearest improved intersecting street

Maxine Road which is 50 feet wide. \*Being

Lot #7, Block D, Section #6 in the subdivision

of Stevenson Ridge as recorded in Baltimore County

Plat Book #26, Folio # 124, containing 35,268

square feet. Also known as 8209 Anita Road

and located in the 3rd Election District, 2nd

Councilmanic District.

49-70-A

BALTIMORE COUNTY MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 055170

DATE 9/16/98 ACCOUNT P001-6150  
AMOUNT \$ 40.00

RECEIVED  
FROM:

Gene T. Lutz, check # 1004 dated 9/1/98

FOR:

Hearing Request 77-76-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME  
9/16/1998 9/16/1998 10:58:02

REC 0506 CASHIER NUEL NWA DAWMER  
5 MISCELLANEOUS CASH RECEIPT

Receipt # 035438  
CR NO. 059170

40.00 CHECK  
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYL  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

DATE 8-11-98 ACCOUNT R-001-6150  
AMOUNT \$ 50.00

RECEIVED  
FROM:

for Statewide Custom Remodeling Inc

FOR:

Residential Variance Filing Fee  
for # 8209 Anita Rd.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME  
8/11/1998 8/11/1998 10:56:05

REC 0502 CASHIER JRIC JWA DAWMER  
5 MISCELLANEOUS CASH RECEIPT

Receipt # 059203  
CR NO. 056120

50.00 CHECK  
Baltimore County, Maryland

CASHIER'S VALIDATION

99.70-A



## CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/9/, 19 98

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/8/, 19 98

THE JEFFERSONIAN,

*A. Henickson*

LEGAL AD. - TOWSON

### NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-70-A  
8209 Anita Road  
E/S Anita Road, 186.71' S of  
centerline Maxine Road (8209  
Anita Road)  
3rd Election District  
2nd Councilmanic District  
Legal Owner(s): Ira S. & Gil-  
bert S. Berman

Variance: to allow a side  
yard setback of zero feet for an  
open projection (carport) and  
a sum of side yard setbacks of  
18 feet in lieu of the minimum  
required 15 feet and 45 feet,  
respectively.

Hearing: Monday, October  
26, 1998, at 9:00 a.m., in  
Room 487, County Courts  
Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT,  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are  
Handicapped Accessible; for  
special accommodations  
Please Call (410) 867-3353.

(2) For information concern-  
ing the File and/or Hearing,  
Please Call (410) 867-3391.

10/156 Oct. 8 C264486

**CERTIFICATE OF POSTING**

**RE: Case # 99-70-A**  
**Petitioner/Developer:**  
**(L. B. Berman)**  
**Date of Hearing/Closing:**  
**(Sept. 8, 1998)**

**Baltimore County Department of**  
**Permits and Development Management**  
**County Office Building, Room 111**  
**111 West Chesapeake Avenue**  
**Towson, Maryland 21204**

**Attention : Ms. Gwendolyn Stephens**

**Ladies and Gentleman:**

**This letter is to certify under the penalties of perjury that the necessary sign(s) required by**  
**law were posted conspicuously on the property located at \_\_\_\_\_**  
**8209 Anita Ave. Baltimore, Maryland 21208 \_\_\_\_\_**

**The sign(s) were posted on \_\_\_\_\_ August 22, 1998 \_\_\_\_\_**  
**(Month, Day, Year)**

**Sincerely,**

*Thomas P. Ogle, Sr.*  
**(Signature of Sign Poster & Date)**

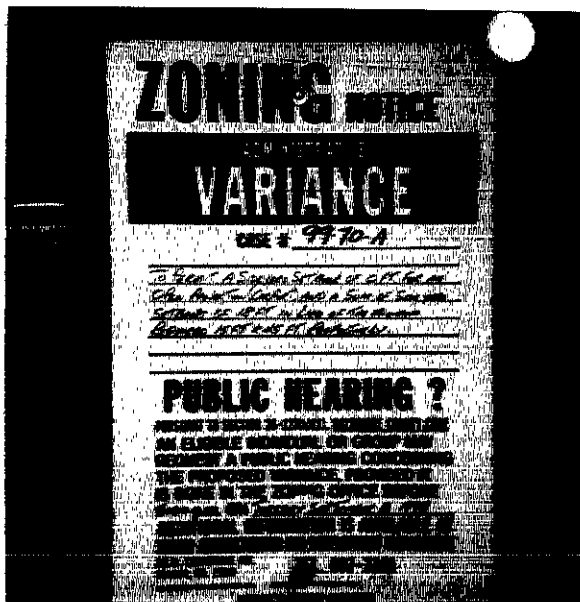
\_\_\_\_\_**Thomas P. Ogle, Sr.**\_\_\_\_\_

\_\_\_\_\_**325 Nicholson Road**\_\_\_\_\_

\_\_\_\_\_**Baltimore, Maryland 21221**\_\_\_\_\_

\_\_\_\_\_**(410)-687-8405**\_\_\_\_\_

**(Telephone Number)**



## CERTIFICATE OF POSTING

BALTIMORE COUNTY DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT  
COUNTY OFFICE BUILDING, ROOM 111  
111 WEST CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204

CASE NUMBER: *99-70-A*

PETITIONER/DEVELOPER: ( ) *I. B. BERMAN*

DATE OF HEARING/~~CLOSING~~: ( ) *12-4-98*

ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY  
THAT THE NECESSARY SIGN (S) REQUIRED BY LAW WERE POSTED  
CONSPICUOUSLY ON THE PROPERTY LOCATED AT,

*8209 ANITA AVE. BALTIMORE, MD. 21208*

THE SIGN (S) WERE POSTED ON, *11-18-98* BY THE UNDERSIGNED.

SINCERELY,

*Thomas P. Ogle Sr.* *11-18-98*

THOMAS P. OGLE SR.  
325 NICHOLSON RD.  
BALTIMORE MD. 21221  
(410) 687-8405  
(410) 687-4381 (FAX)

**CERTIFICATE OF POSTING**

**RE: Case # 99-70-A**  
**Petitioner/Developer:**  
**(LB. Berman)**  
**Date of Hearing/Closing:**  
**(Nov. 19, 1998)**

**Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204**

**Attention : Ms. Gwendolyn Stephens**

**Ladies and Gentleman:**

**This letter is to certify under the penalties of perjury that the necessary sign(s) required by  
law were posted conspicuously on the property located at \_\_\_\_\_  
8209 Anita Avenue Baltimore, Maryland 21208 \_\_\_\_\_**

**The sign(s) were posted on \_\_\_\_\_ Oct. 20, 1998 \_\_\_\_\_  
(Month, Day, Year)**

**Sincerely,**

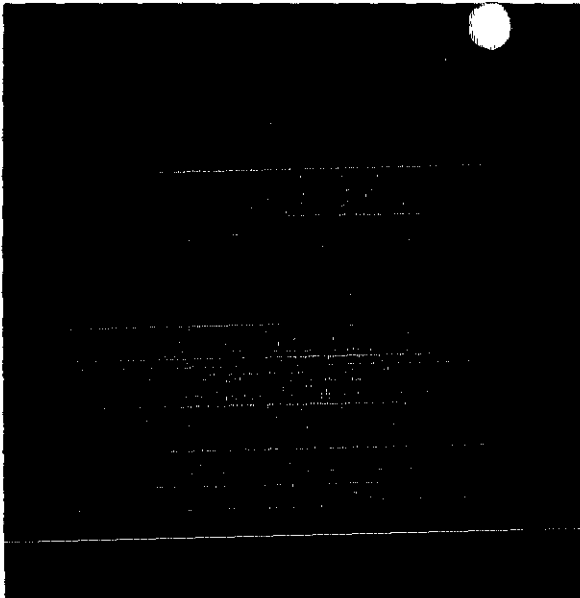
  
**(Signature of Sign Poster & Date)**

**\_\_\_\_\_ Thomas P. Ogle, Sr. \_\_\_\_\_**

**\_\_\_\_\_ 325 Nicholson Road \_\_\_\_\_**

**\_\_\_\_\_ Baltimore, Maryland 21221 \_\_\_\_\_**

**\_\_\_\_\_ (410)-687-8405 \_\_\_\_\_  
(Telephone Number)**



**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 99- 70 -A

Address 8209 Anita Ave.

Contact Person: John Sullivan  
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 8-11-98

Posting Date: 8-23-98

Closing Date: 9-7-98

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet 0to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

-----  
(Detach Along Dotted Line)

**Petitioner: This Part of the Form is for the Sign Poster Only**

**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**

Case Number 99- 70 -A

Address 8209 Anita Ave.

Petitioner's Name I. B. Berman

Telephone \_\_\_\_\_

Posting Date: 8-23-98

Closing Date: 9-7-98

Wording for Sign: To Permit a sideyard setback of 0 Ft. for an open projection (carport) and a sum of sideyard setbacks of 18 Ft. in lieu of the minimum required 15 ft & 45 ft respectively.

TO: PATUXENT PUBLISHING COMPANY  
October 8, 1998 Issue - Jeffersonian

Please forward billing to:

Ina & Gilbert Berman  
8209 Anita Road  
Pikesville, MD 21208

410-486-3219

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**NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-70-A

8209 Anita Road

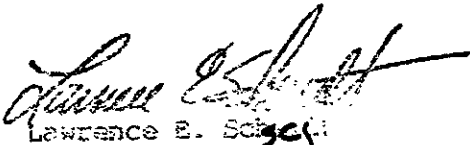
E/S Anita Road, 186.71' S of centerline Maxine Road (8209 Anita Road)

3rd Election District - 2nd Councilmanic District

Legal Owner: Ina B. & Gilbert S. Berman

Variance to allow a side yard setback of zero feet for an open projection (carport) and a sum of side yard setbacks of 18 feet in lieu of the minimum required 15 feet and 45 feet, respectively.

HEARING: Monday, October 26, 1998 at 9:00 a.m. in Room 407, County Courts Building,  
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS  
PLEASE CALL 410-887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-  
887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

September 25, 1998

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-70-A  
8209 Anita Road  
E/S Anita Road, 186.71' S of centerline Maxine Road (8209 Anita Road)  
3rd Election District - 2nd Councilmanic District  
Legal Owner: Ina B. & Gilbert S. Berman

Variance to allow a side yard setback of zero feet for an open projection (carport) and a sum of side yard setbacks of 18 feet in lieu of the minimum required 15 feet and 45 feet, respectively.

HEARING: Monday, October 26, 1998 at 9:00 a.m. in Room 407, County Courts Building,  
401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a circled "54" written below it.

Arnold Jablon  
Director

c: Ina B. & Gilbert S. Berman  
Herb Kishter  
Joseph Omansky, Esquire  
Egon Samuels

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY OCTOBER 11, 1998.**  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 10, 1998

Mr. & Mrs. Gilbert S. Berman  
8209 Anita Road  
Pikesville, MD 21208

RE: Item No.: 70  
Case No.: 99-70-A  
Location: 8209 Anita Road

Dear Mr. & Mrs. Berman:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on August 11, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:ggs

Enclosures






BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: August 28, 1998

FROM:  Robert W. Bowling, Chief  
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting  
for August 31, 1998  
Item Nos. 68, 69, 70, 72, 73, 74  
and  
Case No. 98-125-SPHXA

The Development Plans Review Division has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits  
and Development Management

**DATE:** August 26, 1998

**FROM:** Arnold F. 'Pat' Keller, III, Director  
Office of Planning

**SUBJECT:** Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

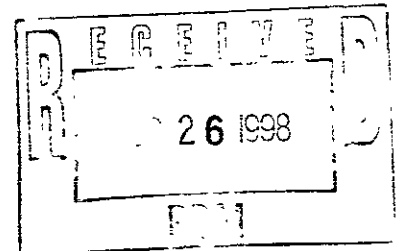
Item Nos. 69, 70, 71, and 74

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3480.

Section Chief:



AFK/JL





**Maryland Department of Transportation**  
**State Highway Administration**

Parris N. Glendening  
Governor  
David L. Winstead  
Secretary  
Parker F. Williams  
Administrator

Date: 8.21.98

Ms. Gwen Stephens  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 70

JJS

Dear Ms. Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Ronald Burns, Chief  
Engineering Access Permits  
Division

LG

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

October 13, 1998

Mr. Herb Kishter  
Statewide Custom Remodeling, Inc.  
8767 Satyr Hill Road  
Baltimore, MD 21234

Dear Mr. Kishter:


RE: Case Number 99-70-A, 8209 Anita Road

The above matter, previously assigned to be heard on October 26, 1998 has been postponed at your request. The case has been **rescheduled for Thursday, November 19, 1998 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue.**

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. The new hearing date and time should be affixed to the hearing notice sign posted on the property as soon as possible.

If you need further information or have any questions, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,

  
Arnold Jablon  
Director

AJ:scj

c: Ina & Gilbert Berman

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Printed with Soybean Ink  
on Recycled Paper



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

October 28, 1998

Lee N. Sachs, Esquire  
Wartzman, Omansky, Blibaum,  
Simons, Cassin, Sachs & Sagal, PA  
The Jefferson Building, Suite 400  
105 West Chesapeake Avenue  
Towson, MD 21204

Dear Mr. Sachs:

RE: Case Number 99-70-A, 8209 Anita Road

The above matter, previously assigned to be heard on November 19, 1998 has been postponed at your request.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so.

If the property has been posted with notice of the hearing date, as quickly as possible a notice of postponement should be affixed to the sign(s). Then, upon notification of the new hearing date, such sign(s) must be changed to give notice of the new hearing date.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a small "SJ" monogram to the right.

Arnold Jablon  
Director

AJ:scj

c: Kitty & Edward Ritz  
Ina & Gilbert Berman  
Herb Kishter  
Joseph Omansky, Esquire  
Egon Samuels

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



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**STATEWIDE CUSTOM REMODELING, INC.**

**8767 SATYR HILL ROAD  
BALTIMORE, MARYLAND 21234**

**(410) 882-9500  
1-800-356-4896 FAX: (410) 882-7308**

10/8/98  
8  
WCR  
Postponement

October 7, 1998

Baltimore County Department of  
Permits and Development Management  
Zoning Department  
111 W. Chesapeake Avenue  
Towson, Maryland 21206  
Attention: Arnold Jablon, Director

RE: Case No. 99-70-A  
8209 Anita Road  
Gilbert & Ina Berman

Dear Mr. Jablon,

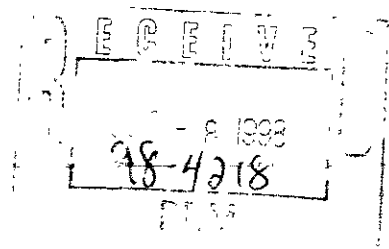
As per your Notice Of Zoning Hearing dated September 25, 1998. Please be advised that the parties request a postponement of the hearing set for Monday, October 26, 1998 at 9:00am., as Dr. & Mrs. Berman will not be available.

The parties request a Hearing, on Thursday, November 19, 1998, if possible.

Respectfully,

*Herb Kishter*  
Herb Kishter

cc: Gilbert Berman



JOSEPH H. OMANSKY  
SAMUEL BLIBAUM  
MICHAEL H. SIMONS  
LEE N. SACHS  
STUART L. SAGAL  
HOWARD CASSIN  
ALVIN J. FILBERT, JR.  
DANIEL W. QUASNEY  
SUSAN D. CAMPBELL  
TIMOTHY J. CAPURSO

LAW OFFICES  
**WARTZMAN, OMANSKY, BLIBAUM  
SIMONS, CASSIN, SACHS & SAGAL, P.A.**

THE JEFFERSON BUILDING - SUITE 400  
105 WEST CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204

Telephone (410) 823-0110  
FAX (410) 823-8032

PLEASE ADDRESS CORRESPONDENCE TO:  
P.O. Box 6724  
TOWSON, MARYLAND 21285-6724

August 28, 1998

COUNSEL TO THE FIRM  
PAUL WARTZMAN  
OF COUNSEL  
STANLEY I. MORSTEIN  
MINDA F. GOLDBERG  
SUSAN M. WILKENS  
MARTIN O'MALLEY  
RONALD L. SCHREIBER  
(1934-1980)

SUITE 100  
341 NORTH CALVERT STREET  
BALTIMORE, MARYLAND 21202

SUITE 200  
1414 REISTERSTOWN ROAD  
PIKESVILLE, MARYLAND 21208

8/31/98  
8  
10 CR

Office of Zoning Administration  
and Development Management  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Administration Variance  
Case No.: 99-70-A

98-3519

Ladies and Gentlemen:

This office represents Edward and Kitty Ritz, who reside at 8211 Anita Road, immediately adjacent to the subject property.

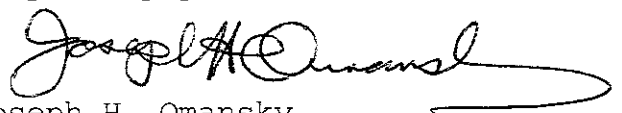
This letter constitutes, on behalf of our client, their formal protest of the request filed by the owners of 8209 Anita Road for variances with regard to side yard setback requirements.

It should also be noted that the plat that accompanied the Petition for the variance is incorrect in a very material aspect. The plat shows that the existing driveway, and the proposed car port, are immediately adjacent to 8207 Anita Road. That is incorrect. On the plat, the addresses of the two immediately-adjacent properties (on either side of the subject property) are backwards. That is, the property immediately adjacent to the existing driveway, and the proposed car port, is 8211 Anita Road, and the property on the other side of the subject property is 8207 Anita Road.

Of course, when the correction is made, it will be obvious that our clients are those immediately affected by the proposed variance.

Kindly note our appearance on behalf of the protestants, and notify us of the time and date of the hearing.

Very truly yours,



Joseph H. Omansky

JHO/jw -  
cc: Mr. & Mrs. Edward Ritz  
Mr. & Mrs. Gilbert S. Berman

Lee\68358.00

JOSEPH H. OMANSKY  
SAMUEL BLIBAUM  
MICHAEL H. SIMONS  
LEE N. SACHS  
STUART L. SAGAL  
HOWARD CASSIN  
ALVIN J. FILBERT, JR.  
DANIEL W. QUASNEY  
SUSAN D. CAMPBELL  
TIMOTHY J. CAPURSO

LAW OFFICES  
**WARTZMAN, OMANSKY, BLIBAUM  
SIMONS, CASSIN, SACHS & SAGAL, P.A.**

THE JEFFERSON BUILDING - SUITE 400  
105 WEST CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204

Telephone (410) 823-0110  
FAX (410) 823-8032

PLEASE ADDRESS CORRESPONDENCE TO:  
P.O. Box 6724  
TOWSON, MARYLAND 21285-6724

September 9, 1998

9/10/98  
COUNSEL TO THE FIRM  
PAUL WARTZMAN  
OF COUNSEL  
STANLEY I. MORSTEIN  
MINDA F. GOLDBERG  
SUSAN M. WILKENS  
MARTIN O'MALLEY  
RONALD L. SCHREIBER  
(1934-1980)

SUITE 100  
341 NORTH CALVERT STREET  
BALTIMORE, MARYLAND 21202

SUITE 200  
1414 REISTERSTOWN ROAD  
PIKESVILLE, MARYLAND 21208

Office of Zoning Administration  
and Development Management  
111 W. Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwen Stevens

Re: Case No. 99-70-A

Dear Ms. Stevens:

Responding to your telephone call to Mr. Omansky, my partner, the other day, I enclose herewith a check, from Mr. and Mrs. Ritz, in the amount of \$40.00, to pay the fee for the hearing we requested on their behalf.

We appreciate your courtesies.

Very truly yours,

  
Lee N. Sachs

LNS/jw  
Enclosure  
cc: Mr. Edward Ritz  
Joseph H. Omansky, Esq.

lee\68358.00

70 1998  
98-3651



LAW OFFICES

**WARTZMAN, OMANSKY, BLIBAUM  
SIMONS, CASSIN, SACHS & SAGAL, P.A.**

THE JEFFERSON BUILDING - SUITE 400  
105 WEST CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204

Telephone (410) 823-0110  
FAX (410) 823-8032

PLEASE ADDRESS CORRESPONDENCE TO:  
P.O. Box 6724  
TOWSON, MARYLAND 21285-6724

October 2, 1998

10/5/98  
P  
wcr

COUNSEL TO THE FIRM  
PAUL WARTZMAN  
OF COUNSEL  
STANLEY I. MORSTEIN  
MINDA F. GOLDBERG  
SUSAN M. WILKENS  
MARTIN O'MALLEY  
RONALD L. SCHREIBER  
(1934-1980)

SUITE 100  
341 NORTH CALVERT STREET  
BALTIMORE, MARYLAND 21202

SUITE 200  
1414 REISTERSTOWN ROAD  
PIKESVILLE, MARYLAND 21208

JOSEPH H. OMANSKY  
SAMUEL BLIBAUM  
MICHAEL H. SIMONS  
LEE N. SACHS  
STUART L. SAGAL  
HOWARD CASSIN  
ALVIN J. FILBERT, JR.  
DANIEL W. QUASNEY  
SUSAN D. CAMPBELL  
TIMOTHY J. CAPURSO

Development Processing  
County Office Building  
111 W. Chesapeake Ave.  
Towson, MD 21204

Re: Case No.: 99-70-A  
8209 Anita Road

Ladies and Gentlemen:

Please enter my appearance as additional Counsel for Mr.  
and Mrs. Edward Ritz, who have protested the requested variance in  
the captioned matter.

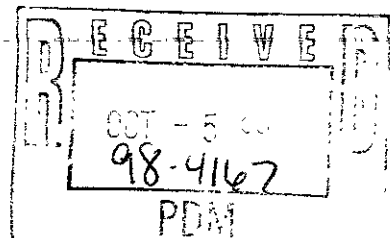
Thank you for your courtesy.

Very truly yours,

Lee N. Sachs

LNS/jw  
cc: Mr. & Mrs. Edward Ritz  
Mr. & Mrs. Gilbert S. Berman  
Joseph Omansky, Esquire

lee\68358.00



JOSEPH H. OMANSKY  
SAMUEL BLIBAUM  
MICHAEL H. SIMONS  
LEE N. SACHS  
STUART L. SAGAL  
HOWARD CASSIN  
ALVIN J. FILBERT, JR.  
DANIEL W. QUASNEY  
SUSAN D. CAMPBELL  
TIMOTHY J. CAPURSO

LAW OFFICES  
**WARTZMAN, OMANSKY, BLIBAUM  
SIMONS, CASSIN, SACHS & SAGAL, P.A.**

THE JEFFERSON BUILDING - SUITE 400  
105 WEST CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204

Telephone (410) 823-0110  
FAX (410) 823-8032

PLEASE ADDRESS CORRESPONDENCE TO:  
P.O. Box 6724  
TOWSON, MARYLAND 21285-6724

October 23, 1998

COUNSEL TO THE FIRM  
PAUL WARTZMAN  
OF COUNSEL  
STANLEY I. MORSTEIN  
MINDA F. GOLDBERG  
SUSAN M. WILKENS  
MARTIN O'MALLEY  
RONALD L. SCHREIBER  
(1934-1980)

SUITE 100  
341 NORTH CALVERT STREET  
BALTIMORE, MARYLAND 21202

SUITE 200  
1414 REISTERSTOWN ROAD  
PIKESVILLE, MARYLAND 21208

10/26/98  
OK

Honorable Arnold Jablon, Director  
BALTIMORE COUNTY DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Case No. 99-70-A  
8209 Anita Road

Dear Sir:

We represent protestants with regard to the matter captioned above.

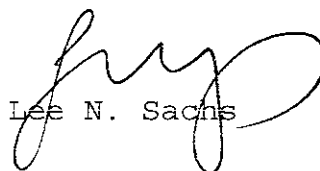
The hearing which we have requested had been scheduled for Monday, October 26 at 9:00 a.m.

We learned on Thursday, October 22, from the representative of the Petitioners, that the case had been postponed, at their request, until 2:00 p.m. on Thursday, November 19. The copy of the letter granting that postponement, which I received from the Petitioners' representative, indicated that the only copy was sent to the Petitioners, and neither we nor the protestants received any such copy.

Unfortunately, I had scheduled myself for a seminar, for which the reservations have already been confirmed, for the entire day of November 19, and, in view of the circumstances, I request that the hearing be rescheduled to another date.

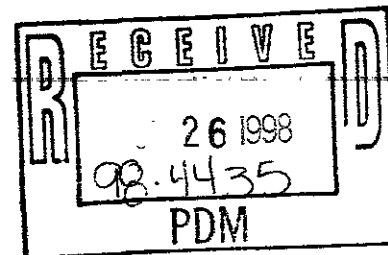
Thank you for your courtesy.

Very truly yours,

  
Lee N. Sachs

LNS/jw  
cc: Mr. & Mrs. Edward Ritz  
Mr. Herbert Kishter  
Stanley H. Block, Esq.

Lee\68358.00



LAW OFFICES

**WARTZMAN, OMANSKY, BLIBAUM  
SIMONS, CASSIN, SACHS & SAGAL, P.A.**

THE JEFFERSON BUILDING - SUITE 400  
105 WEST CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204

Telephone (410) 823-0110  
FAX (410) 823-8032

PLEASE ADDRESS CORRESPONDENCE TO:  
P.O. Box 6724  
TOWSON, MARYLAND 21285-6724

November 18, 1998

JOSEPH H. OMANSKY  
SAMUEL BLIBAUM  
MICHAEL H. SIMONS  
LEE N. SACHS  
STUART L. SAGAL  
HOWARD CASSIN  
ALVIN J. FILBERT, JR.  
DANIEL W. QUASNEY  
SUSAN D. CAMPBELL  
TIMOTHY J. CAPURSO

*Jim 12/4*  
COUNSEL TO THE FIRM  
PAUL WARTZMAN  
OF COUNSEL  
STANLEY I. MORSTEIN  
MINDA F. GOLDBERG  
SUSAN M. WILKENS  
MARTIN O'MALLEY  
RONALD L. SCHREIBER  
(1934-1980)

SUITE 100  
341 NORTH CALVERT STREET  
BALTIMORE, MARYLAND 21202

SUITE 200  
1414 REISTERSTOWN ROAD  
PIKESVILLE, MARYLAND 21208

*Set for  
12/4/98*

Commissioner Lawrence E. Schmidt  
OFFICE OF ZONING ADMINISTRATION  
AND DEVELOPMENT MANAGEMENT  
111 W. Chesapeake Avenue  
Towson, MD 21204

**Re: Case No. 99-70-A, 8209 Anita Road**

Dear Commissioner Schmidt:

We represent Kittie and Edward Ritz, protestants in the captioned matter, which began with the administrative request of the owners of the captioned property for variances, resulting from the desire of the owners to erect a car port, and the resulting need for side yard variances.

On behalf of our clients, whose property is contiguous to that of the applicants, a protest was filed and a hearing scheduled.

Because of various calendar conflicts, the hearing has been postponed twice, and is presently scheduled for December 4 at 2:00 p.m. However, the owners, Dr. and Mrs. Berman, have indicated that they will be unavailable and will seek another postponement, unless the matter is resolved.

We have resolved the matter by agreement, but, of course, that is subject to the approval of your division, and an appropriate order with regard thereto.

The owners (Dr. and Mrs. Gilbert S. Berman) and our clients (Mr. and Mrs. Edward Ritz) have agreed that the variances requested be allowed, subject to the following:

1. The carport to be erected will consist of not more than four poles, necessary to support a roof, connected to the existing home. The number of poles to be determined by construction stability, safety considerations, and building code compliance.

NOV 19 1998

FDM

Commissioner Lawrence E. Schmidt  
November 18, 1998  
Page 2

2. There will be no side walls nor back wall erected. Structure will be limited to roof and poles.

3. The entire structure to be located on Berman property, with no overhang over Ritz property. Roof and poles to be aesthetically compatible with roof of existing home. All work to be done in a workmanlike manner, and materials to be new and free from defects.

4. Structure will be maintained at all times, in good condition and at community standard.

Under those circumstances, we request that the matter be again handled administratively, by the granting of the variances subject to the noted conditions.

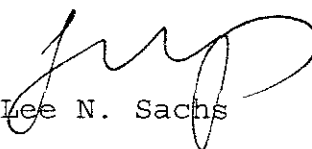
If there is any further information you need, please contact us and we will respond promptly.

We would hope for a favorable response.

Dr. and Mrs. Berman are not formally represented, but Stanley H. Block, Esquire, a member of their family who is presently out of town, has spoken to me on their behalf, and has indicated his concurrence with the agreement, which Dr. Berman and I reached after considerable communication.

Thank you for your courtesy.

Very truly yours,

  
Lee N. Sachs

LNS/jw

cc: Mr. & Mrs. Edward Ritz  
Dr. & Mrs. Edward Berman  
Mr. Herbert Kishter  
Stanley H. Block, Esquire

lee\68358 00

Re: Case 99-70-A

To whom it may concern

To: Soph 9/3/98  
Call + File 70 WCR  
f

Fearing Date

To Whom It May Concern:

strongly opposed

Mr. & Mrs. Gilbert Burman adding

a carport over their

driveway at 8209 Anita Rd

Balto. Md 21208.

vels

Le

Dan L. L. L. L. L.  
8207 Anita Rd

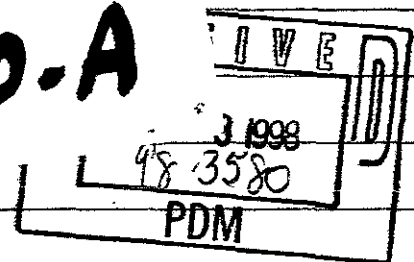
Balti, MD  
21208

21208

ZONING C  
ADMINISTR  
DOES NOT  
PROTESTED  
BY THE ZON  
HAVE QUEST  
PLANNER LI

#70

99-70-A



# Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

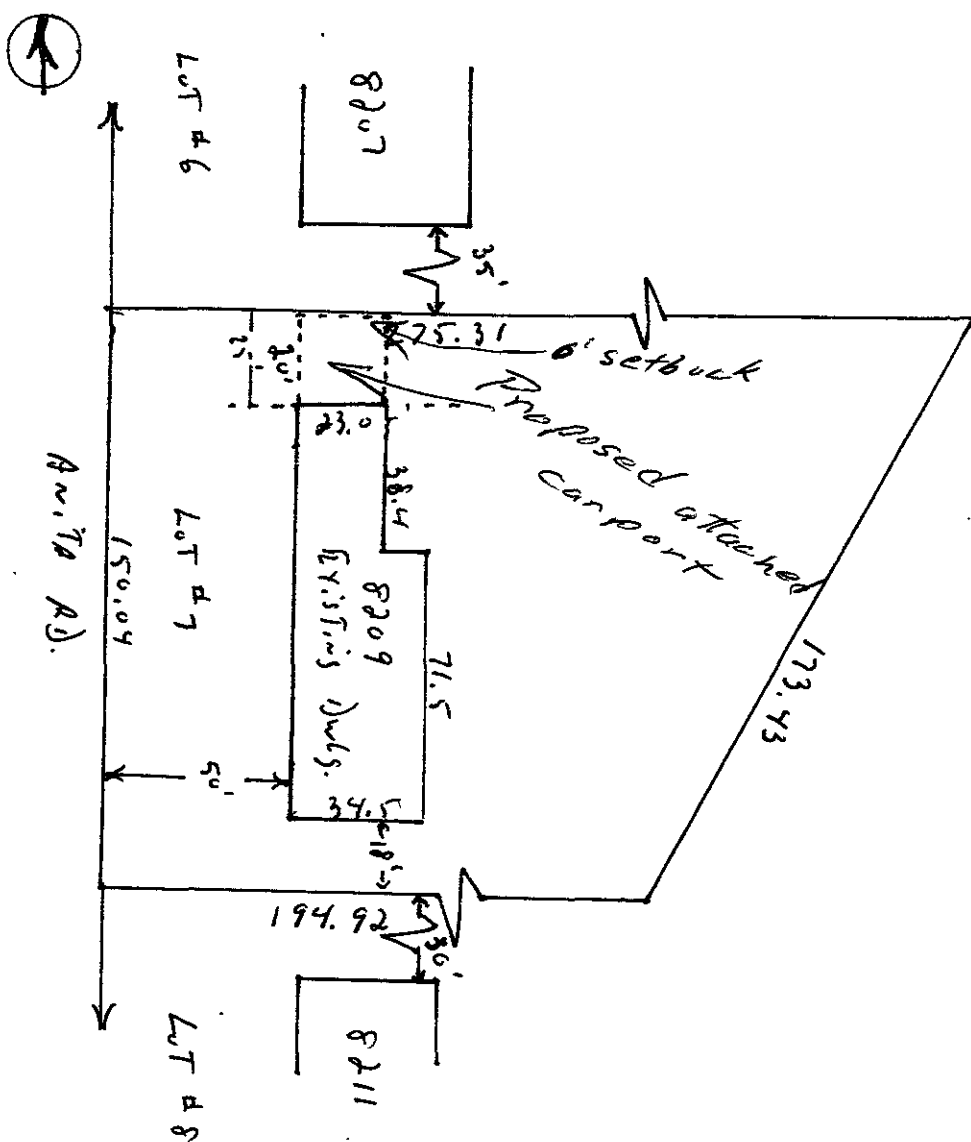
PROPERTY ADDRESS: 8209 Avila Rd.

Subdivision name: STEVENSON R.D. #2

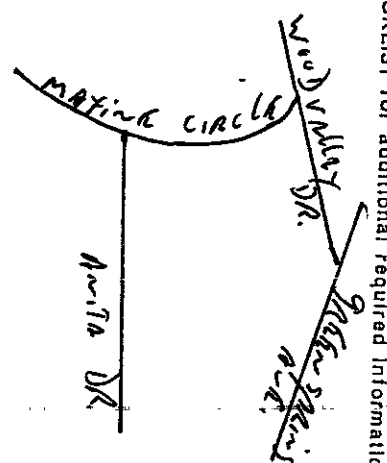
plat book # 26, folio # 194, lot # 7, section # 6

OWNER: MR & MRS J. L. BERTMAN

see pages 5 & 6 of the CHECKLIST for additional required information



North  
date: 8/10/98  
prepared by: HLC Scale of Drawing: 1" = 50'



## LOCATION INFORMATION

Election District: 3rd

Councilmanic District: 2nd

1"-200' scale map #: AW, 10-B

Zoning: DR-1

Lot size: 2.809 acreage

35268 square feet

public private

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: None

## Zoning Office USE ONLY

reviewed by: [Signature] ITEM #: 70 CASE #:

99-70 A



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: \_\_\_\_\_

Petitioner: \_\_\_\_\_

Location: \_\_\_\_\_

PLEASE FORWARD ADVERTISING BILL TO:

NAME: \_\_\_\_\_

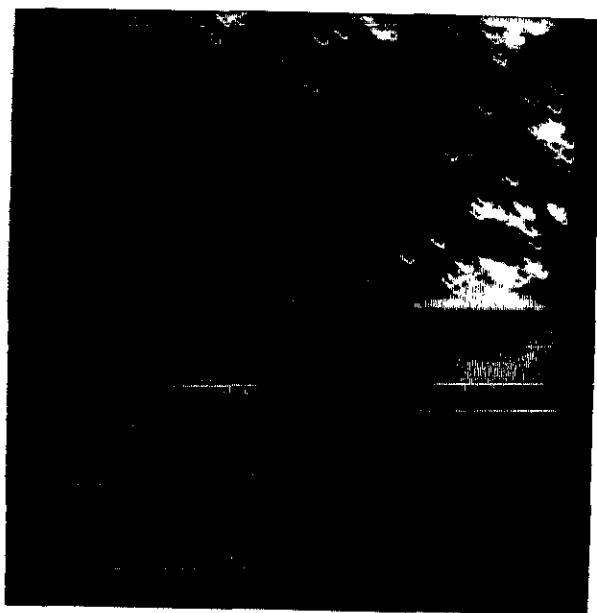
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

AJ:ggs

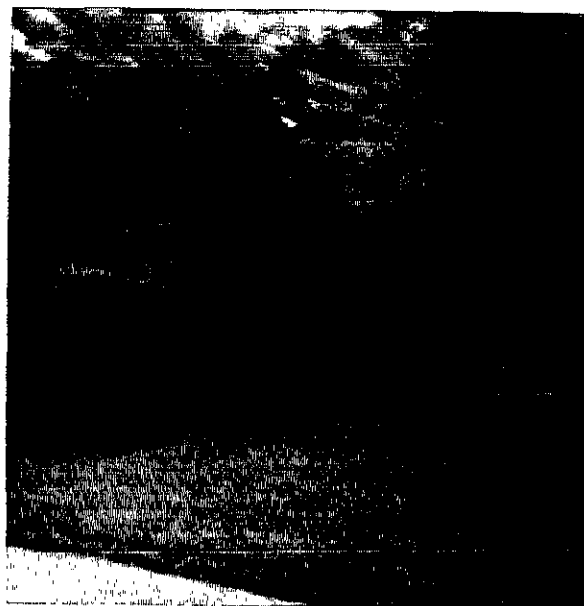
(Revised 09/24/96)

A-07-PP



South  
side

# 70



South  
side

# 70

99-70-A

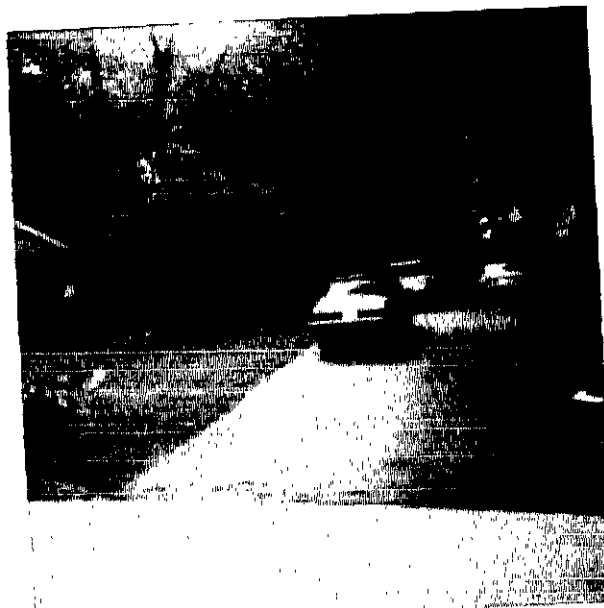




Proposed  
Carport # 70



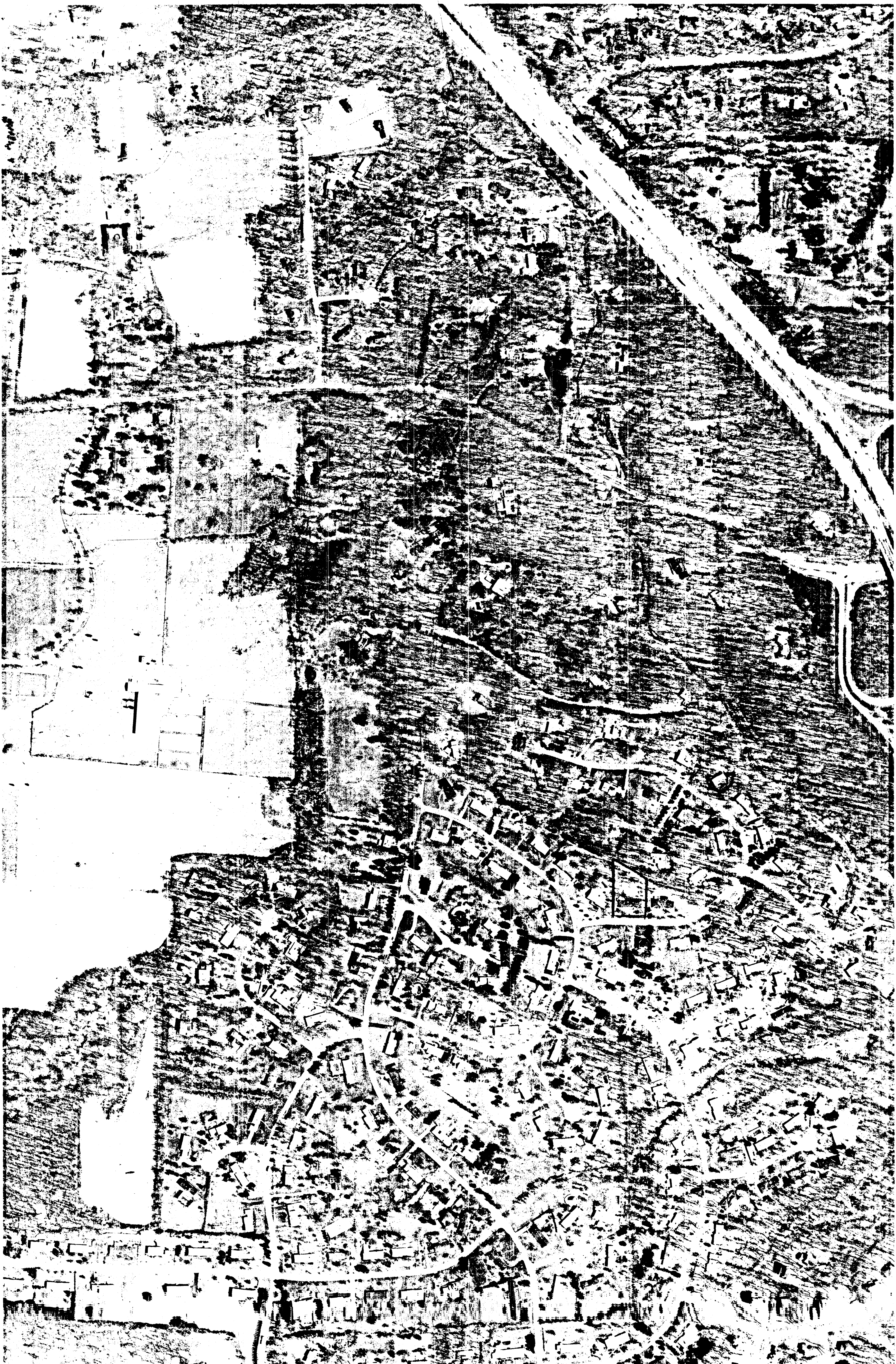
Proposed  
Carport # 70



70

99-70-A





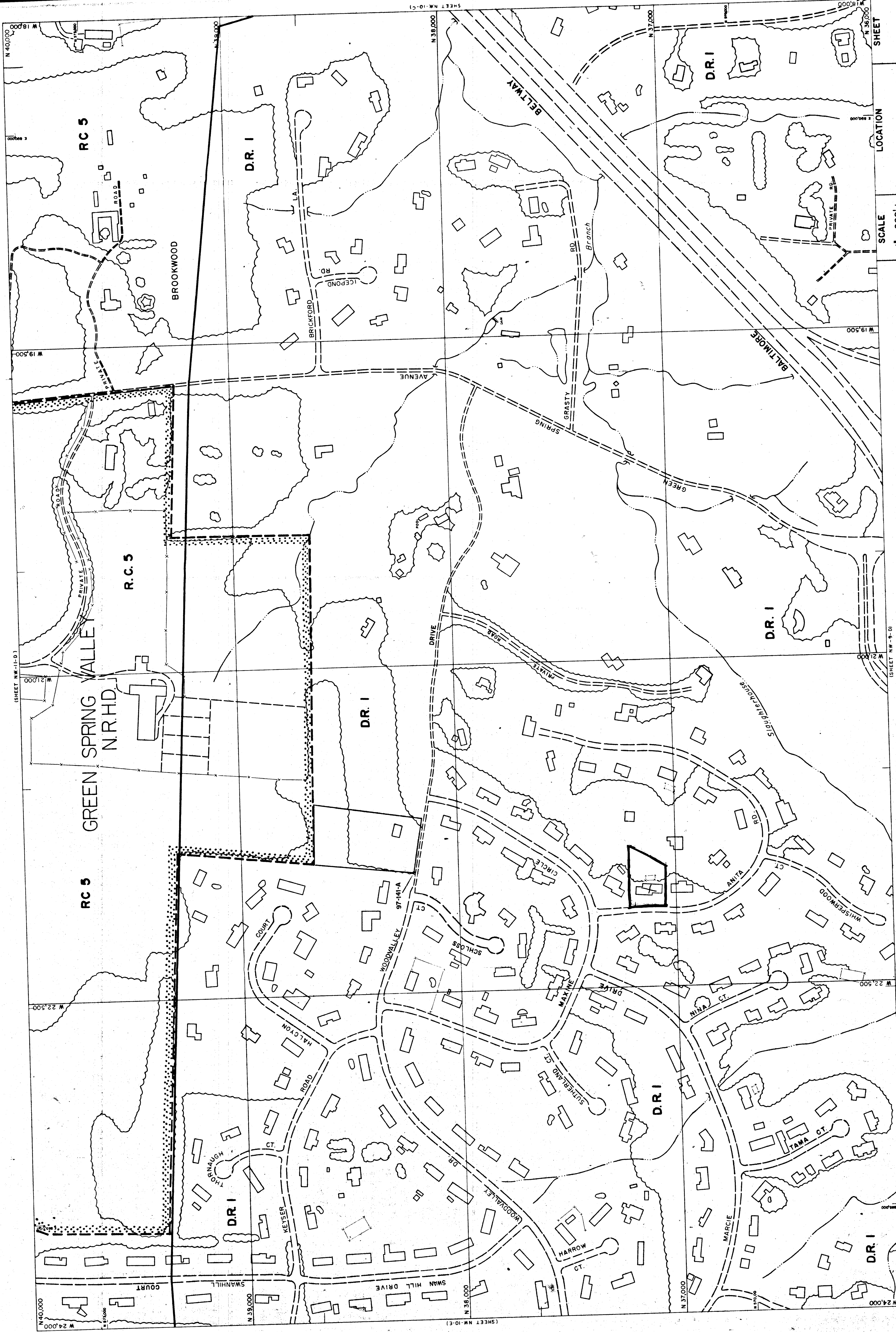
MICROFILMED

LOCATION		SHEET	
ROCKLAND		N.W.	
99-70-A		10-D	

SCALE	DATE OF PHOTOGRAPHY
1" = 200' ±	JANUARY 1986

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP





**BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP**

1996 COMPREHENSIVE ZONING MAP  
ADOPTED BY  
THE BALTIMORE COUNTY COUNCIL  
OCTOBER 8, 1996  
Bills Nos. 125-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

O - NW  
S - SW

THIS MAP HAS BEEN REPRODUCED IN SELECTED AREAS  
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

*Kwinn Kanarey*  
Chairman, County Council

SCALE 1" = 200' ±	LOCATION  ROCKLAND	SHEET  N. W. 10-D
DATE OF PHOTOGRAPHY JANUARY 1986		

99-70-A